Application No. 09/425,118
Attorney Docket No. 12571US01

REMARKS

The present application includes claims 2-18, 20-25, and 40-42, all of which were rejected. By this Amendment, claims 2, 10, 11, 20, 22-25, and 40-42 have been amended

In the Office Action, the Examiner incorporated the previous Office Action by reference, but only discusses El-Rafie. Consequently, the rejection under 35 U.S.C. §112, second paragraph, in the previous Office Action is considered to be traversed and the rejections that remain are:

Claims 2, 7-11, 16-18, 41, and 42 were rejected under 35 U.S.C. §102(e) as being anticipated by El-Rafic, U.S. Patent No. 6,968,394.

Claims 3-6, 8, 12-15, 20-25, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over El-Rafie.

In the most recent Office Action, the Examiner apparently acknowledges that El-Rafie only teaches storage of the code for running applications at the receiver and does not teach storing received media data at the receiver – as discussed below and in the previously filed Amendment. Consequently, all of the independent claims (claims 2, 10, 11, 20-25, and 40-42) have now been amended to more clearly recite that received media information is stored at the receiver/router or that the receiver/router includes storage for storing the media information.

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Thus, the Applicant respectfully submits that independent claims 2, 10, 11, 20-25, and 40-42 are allowable and that their respective dependent claims 2-9 and 12-18 are also allowable.

The remaining two rejections will now be addressed in greater detail.

We now turn to the rejection of claims 2, 7-11, 16-18, 41, and 42 under 35 U.S.C. §102(e) as being anticipated by El-Rafie, U.S. Patent No. 6,968,394. El-Rafie teaches an asymmetric satellite-based internet service. As shown in Figure 1 and described beginning at Col. 3, Line 56, the asymmetric access system 1 includes a Network Operation Center (NOC) 4 the uplinks signals to a satellite 18. The satellite 18 then transmits the signals to a satellite receiver 23 grouped as part of a terminal device 2.

The terminal device 2 includes a storage device 20, but El-Rafie teaches that the storage device stores the code for running applications, not incoming data. El-Rafie apparently only discusses the storage device in the first paragraph of the Detailed Description beginning at Col. 3, Line 59. Further, the mention in the first paragraph does not teach storage of incoming data at the storage device. On the contrary, as recited beginning at Col. 3, Line 61, "A driver 22 may interface the storage device 20 with one or more applications 7."

Further explanation of the storage device 20 can be understood from claims 20-22 of El-Rafie, as reproduced below.

20. An asymmetric satellite based terminal device comprising: a modem in communication with an Internet Host via a terrestrial link; a satellite card in communication with an Internet Host via a satellite link; a storage device having

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computer-readable instructions stored thereon for performing steps comprising: creating a data packet having as its IP source address an address assigned to a centralized uplink center of a satellite service, the IP source address not being encapsulated within another source IP address; and sending the data packet from the modem to the Internet Host via the terrestrial link in its unencapsulated form.

21. The asymmetric satellite based terminal device of claim 20, wherein the storage device further includes instructions for performing the step of receiving data at the satellite card from the Internet Host via the satellite link in response to the data packet being sent from the modem.

22. The asymmetric satellite based terminal device of claim 21, wherein the Internet Host is connected to the modem via a first hop on the terrestrial link, and the storage device further includes instructions for performing the step of receiving data at the modem from the Internet Host via the terrestrial link in response to the data packet being sent from the modem.

As can be seen from the claims, the storage device includes computer-readable instructions for performing various process steps. That is, El-Rafie only teaches the storage of commands to be executed by the terminal device. El-Rafie does not teach the storage of incoming media data packets and further does not teach a storage for storing the incoming media data packets. Additionally, El-Rafie additionally does not teach that the media data packets are retrieved from storage and later re-transmitted.

Independent claims 2, 10, 11, 41, and 42 all include the limitation that media data is stored at the receiver/router or that the receiver/router includes storage for storing media data, neither of which is taught by El-Rafie, as discussed above. Consequently, claims 2, 10, 11, 41, and 42 are respectfully submitted to be allowable, as are dependent claims 7-9 and 16-18.

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The Applicant turns now to the rejection of claims 3-6, 8, 12-15, 20-25, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over El-Rafie. Claims 3-6, 8, 12-15, 20-25, and 40 include independent claims 20, 22, 23, 24, 25, and 40.

Independent claims 20, 22, 23, 24, 25, and 40 have all been amended to recite storage of media data at the receiver/router or that the receiver/router includes storage for storing media data, neither of which is taught by El-Rafie, as discussed above. Consequently, independent claims 20, 22, 23, 24, 25, and 40 are respectfully submitted to be allowable, as are dependent claims 3-6, 8, and 12-15.
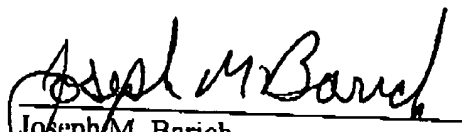
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CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017. Additionally, please charge any fees for any additional claims or for any extension of time to the Deposit Account.

Respectfully submitted,

Date: December 20, 2006

Joseph M. Barich
Registration No. 42,291

McANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, IL 60661

Telephone: (312) 775-8000
Facsimile: (312) 775-8100